

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

**IN RE: DIGITEK PRODUCT LIABILITY
LITIGATION**

MDL NO. 1968

THIS DOCUMENT RELATES TO:

*Donna Farmer, Personal Representative
of the Estate of Robert Farmer, deceased v.
Actavis Totowa, LLC, et al.*
Case No. 2:09-cv-00815

**STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE
(CORRECTED)**

Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties in this action hereby stipulate to the dismissal of this action without prejudice. Plaintiff agrees that if she re-files her case, she will do so in the United States District Court of West Virginia, Southern District. Plaintiff received no consideration for agreeing to this dismissal. It is further stipulated by and among the parties to this action that each party will bear its own attorneys' fees and costs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on January 25, 2010, a copy of the foregoing **STIPULATION FOR DISMISSAL WITHOUT PREJUDICE (CORRECTED)** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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